



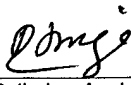
CONFIRMATION.

JFW

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that the confirmation copy of this Facsimile correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: September 19, 2006


Rajindra Aneja

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/788,920

Filing Date: 02/27/2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX TO: (571) 273-8300

Examiner Name: Kishore, Gollamudi S

Art Unit: 1615

RECORD OF TELEPHONE CALL TO EXAMINER KISHORE

on September 19, 2006 at 2:45 PM

Sir:

I am the Inventor and Applicant in this case and am acting *pro se*. I called to ask about the status of the case, and submitted as follows:

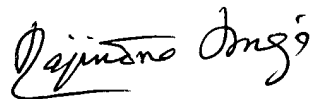
In previous communications, the Applicant respectfully has pointed out that the first and only USPTO Official Action (OA) mailed on April 24, 2005, was not pertinent to the said claims which are in the case. Specifically, the OA asserted that "Claims 1-75 are pending in the application" and imposed restriction requirements for the said claims 1-75. In our reply mailed 07/25/2005, we respectfully submitted that the pending claims in this Divisional application are claims 53-63 and claims 66-97. The original grandparent Serial No. 08/912,978, and the parent Serial No. 09/879,368 applications of this Divisional have been allowed and have

issued. Moreover, as submitted in our earlier communication "Preliminary Amendment" mailed 02/27/2004, page 15 lines 1-4, "The substantive correspondence between the issued and allowed claims and those of the present application compels a finding of patentability for this divisional application. Given that all requirements of patentability have been addressed in the parent and grandparent applications, leading to allowance and issuance, the presently claimed invention should also be free from rejection. Applicant therefore urges that the present claims be immediately progressed to allowance."

Examiner Kishore recalled that in our previous telephone conversation of April 25, 2006, he had promised to review and send an Official Action reply in about a week to 10 days. Examiner Kishore said that although September was a particularly busy month, he would make time for this case very soon.

I thank Examiner Kishore for his consideration, and I look forward to receiving the Office Action reply.

Respectfully submitted,



Rajindra Aneja, Ph.D.
Applicant and Inventor

Customer No. 000045045
Nutrimed Biotech
322 Sunnyview Lane
Ithaca, NY 14850
Tel: (607) 257-1166 (Office)

Date: September 19, 2006